

Network Operations Support

May 28, 2003

Rio Virgin Telephone Co., Inc.
PO Box 299
Mesquite, NV 89024



Verizon Wireless
Interconnection/Numbering/Mandates
2785 Mitchell Drive MS 7-1
Walnut Creek, CA 94598

Attn: B. Crosby,

Consistent with the rules of the Federal Communications Commission ("FCC"), on November 24, 2003, Verizon Wireless will begin competitive porting by offering customers local number portability ("LNP").²⁵ The FCC sought to simplify the task of identifying the switches in each MSA in which number portability is deployed and to facilitate competitive entry.²⁶ The FCC's rules require local exchange carriers to make available, upon request by any interested party, a list of their switches for which provisioning of number portability has been requested (and therefore provided) and a list of their switches for which provisioning of number portability has not been requested.²⁷ Verizon Wireless requires only a list of switches and NPA-NXX codes for which provisioning of LNP has not been requested.

Verizon Wireless has simplified this request by attaching a form containing a list of switches and codes for your review. This list was derived by using the LERG and comparing it to Verizon Wireless's licensed service areas. The list identifies the switch CLLI and NPA-NXX codes that Verizon Wireless believes are not yet LNP capable. Please review and update the attached form, making any necessary changes or additions to the list regarding switches and codes that have not been marked portable. Please indicate the date by which the switch and codes will be LNP capable.²⁸ Any comments can be made in the column provided on the form.

Verizon Wireless requests that you review, update and return the attached form to the undersigned contact within 10 days of receipt. Please call the undersigned with any questions or concerns.

A handwritten signature in cursive script, appearing to read "Linda Godfrey".

Linda Godfrey
Verizon Wireless
Interconnection, Numbering and Mandates

925-279-8670

Enclosures

²⁵ See 47 C.F.R. § 52.31.

²⁶ Local Number Portability, *First Memorandum Opinion and order on Reconsideration*, 12 FCC Rcd. 7236, ¶¶59-66 (1997).

²⁷ *Id.* at ¶64; 47 C.F.R. § 52.23(b)(2)(iii).

²⁸ The timeframes for conversion to LNP of any additional switches are governed by the FCC's rules and range from 30 days to 180 days, depending upon the status of the switches (i.e., equipped remote, hardware capable, capable switches requiring hardware, and non-capable). 47 C.F.R. § 52.23 (b)(2)(iv)(A-D).

Bonafide Request Form (BFR)

Purpose:

The purpose of this letter is to request the deployment of long-term Local Number Portability as defined by the FCC. Specifically, this form requests that ALL codes serving the Metropolitan Statistical Areas be opened for portability in the LERG and the NPAC and ALL switches serving these areas are LNP capable.

Note: MSAs refers to the identified U.S. Census Bureau MSAs for 2000. These may differ from the MSAs as separately defined by the wireless or wireline industries. In those instances where no MSA has been identified, please reference Rate Center to ensure switches and NPA-NXXs serving those areas are opened for porting.

TO (RECIPIENT):

If LERG contact info is
incorrect, please change below.

Company
Name: _____

Contact Name: _____

Contact's Address: _____

Contact's

Email: _____

Contact's Fax: _____

Contact's Phone: _____

FROM (REQUESTOR):

Company Name: Cellco Partnership d/b/a
Verizon Wireless

Contact Name: Linda Godfrey

Contact's Address: 2785 Mitchell Drive
Walnut Creek, CA 94598
Building 7-1, 7111G

Contact's Email:
Linda.Godfrey@Verizonwireless.com

Contact's Fax: 925-279-6621

Contact's Phone: 925-279-6570

Timing:

Date of Request: May 19, 2003

Receipt Confirmation

Due By: May 29, 2003 (Due no later than 10 days after the date of the request.)

Effective Date: November 24, 2003 or May 24, 2004 pursuant to the FCC rules

**Wireline Bonafide Request form (BFR) for Local Numebr Portability
Rio Virgin Telephone Co., Inc. Nonportable NPA-NXXs and CLLIs**

COC TYPE	ST	RATE_CNTR	PORTABLE	NPA	NXX	Date NPA- NXX marked Portable	Comments	SOF 38-LNP	SWITCH	Date Portable	Comments
EOC	NV	MESQUITE	N	702	348			-	MSQTNVXFDS0		
EOC	AZ	LITTLEFLD	N	928	347			-	BVDMAZ01RS0		
EOC	NV	MESQUITE	N	702	345			-	MSQTNVXFDS0		



KSOPHW0516-58360
Earhart B
6580 Sprint Parkway
Overland Park, KS 66251

Sprint PCS®

Fawn Romig
Industry Compliance and
Operational Numbering
Support
(913) 794-9486
fromig01@sprintpectrum.com

May 16, 2003

To Whom It May Concern:

Enclosed is the Bonafide Request Form (BFR) as required by the FCC mandate (CC Docket 95-116) to request deployment of long term Local Number Portability. CMRS providers are required to provide LNP by November 24, 2003. This BFR is being sent in anticipation of that date. Please note the effective date requested reflects this requirement.

Please feel free to contact me at the numbers and email address provided above. Alternatively, you may contact Jeff Adrian at phone number (407) 622-4170 or at email address: jadria01@sprintspectrum.com if you need assistance.

Sincerely,

Fawn Romig
Industry Compliance and Operational Network Support
Numbering Solutions

Enclosure

Bonafide Request Form (BFR)

Purpose: This form is used to request deployment of long-term Local Number Portability as defined in the FCC mandates (CC

Docket 95-116). Specifically, this form requests that ALL codes be opened for portability within the Metropolitan Statistical Area and wireline switch CLLI codes designated below. This form may be used for both wireless and wireline requests.

TO (RECIPIENT):

OCN: 2366
Company Name: RIO VIRGIN TELEPHONE CO., INC.
Contact Name: B CROSBY

Contact's Address:

PO BOX 299
MESQUITE NV 89024

Contact's Phone: 702-346-5211

FROM (REQUESTOR):

Company Name: Sprint PCS
Contact Name: Fawn Romig
Contact's Address: 6580 Sprint Parkway
Mailstop: KSOPHW0516-5B360

Overland Park, KS 66210

Contact's Email: fromig01@sprintpectrum.com

Contact's Fax: (913) 523-8333

Contact's Phone: (913) 794-9486

TIMING:

Date of Request: May 23, 2003

Receipt Confirmation Due By: June 9, 2003

Effective Date: November 24, 2003

Designated Wireline Switch CLLI Codes:

1st CLLI: MSQTNVXFDS0

2nd CLLI:

3rd CLLI:

4th CLLI:

5th CLLI:

6th CLLI:

Designated Metropolitan Statistical Areas (MSAs):

Note: MSAs refer to the U.S. Census Bureau MSAs. These may differ from the MSAs as separately defined by the wireless or wireline industries.

MSA_NAME:

Las Vegas, NV-AZ

Actions Required of the Recipient:

1. Within 10 days of receipt, provide confirmation to the requester that this form has been received.
2. For all currently released codes, and those to be released at any future time, within the designated U.S. Census Bureau MSAs and wireline switch CLLI codes (where applicable), open all for porting within the LERG.
3. For all currently released codes, and those to be released at any future time, within the designated U.S. Census Bureau MSAs and wireline switch CLLI codes (where applicable), open all for porting within the NPAC (Number Portability Administration Center).
4. Ensure that all switches handling codes within the designated MSAs are Local Number Portability capable.

Friday, May 09, 2003

BFR Checklist Form v04 020204.doc

EXHIBIT 2

KRASKIN, LESSE & COSSON, LLC
ATTORNEYS AT LAW
TELECOMMUNICATIONS MANAGEMENT CONSULTANTS

2120 L Street, N.W., Suite 520
Washington, D.C. 20037

Telephone (202) 296-8890
Telecopier (202) 296-8893

July 23, 2003

VIA E-MAIL & OVERNIGHT DELIVERY

Linda Godfrey
Interconnection, Numbering and Mandates
Verizon Wireless
2785 Mitchell Drive
Walnut Creek, CA 94598

Dear Ms. Godfrey:

Our firm represents several local exchange carriers that have received correspondence from Verizon Wireless regarding number portability.¹ Having analyzed the letters and accompanying forms (collectively, the Verizon Wireless mailings") sent to these companies, we question whether the mailings constitute a valid request for number portability. Moreover, even if the mailings were sufficient, the Verizon Wireless correspondence does not request service provider portability that would enable customers of these LECs to retain their existing telephone numbers "at the same location" as the Act and FCC Rules require.²

The mailings seek only switch information rather than request the implementation of number portability.³ The process of responding to the information request has been "simplified" by Verizon Wireless by allowing carriers to update the attached form, which has been provided for this purpose. This attachment is comprised of a generic form with no carrier or market information indicated and a spreadsheet containing the switch information referenced in the letter. Accordingly, the mailing fails to "specifically request portability" and "identify the discrete geographic area" as required by FCC Rules.⁴ Furthermore, although the generic form

¹ A list of these companies is attached.

² See 47 U.S.C. § 153(30); 47 C.F.R. § 52.21(k).

³ According to the letter, the purpose of the mailing is pursuant to a specific FCC Rule which requires carriers to provide, upon request, "a list of their switches for which provisioning of number portability has been requested (and therefore provided)." The carriers on the attached list have either responded to this information request directly or we are responding on their behalf.

⁴ See *In the Matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Telephone Number Portability*:

specifies the date of the request as May 19, 2003, many of the letters are dated May 28, 2003 with postmark dates well into the month of June. Accordingly, if the mailing was intended to constitute a request for a LEC, which currently is not number portable-capable, to implement number portability by November 24, 2003, the request, in these instances, was not timely made.⁵

The mailing fails to indicate whether Verizon Wireless provides service within the companies' respective LEC service areas. The rules specify that number portability is required only if requested by "another telecommunications carrier in areas in which that telecommunications carrier is operating or plans to operate."⁶ Furthermore, for most of the companies, there is no local interconnection in place between Verizon Wireless and the LEC, demonstrating the absence of Verizon Wireless' local presence and any indication of its "plans to operate" within the area.

The Act and the FCC have defined the obligation of a LEC to provide number portability that enables the "users of telecommunication services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another."⁷ If you have facts to indicate that Verizon Wireless plans to ensure that the customer retains his/her telephone number "at the same location" please provide us with those facts and we will reevaluate our analysis of the Verizon Wireless request on the basis of these facts.

While we and our clients recognize that pursuant to Section 252 of the Act, carriers are free to "negotiate and enter into a binding agreement with the requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of Section 251,"⁸ our clients at this time has no need or desire to negotiate an agreement that goes beyond

Fourth Report and Order in CC Docket No. 99-200 and CC Docket No. 95-116, and Fourth Further Notice of Proposed Rulemaking in CC Docket No. 99-200, CC Docket Nos. 99-200, 96-98, 95-116 (rel. June 18, 2003) at para. 10 ("Requesting telecommunications carriers must specifically request portability, identify the discrete geographic area covered by the request, and provide a tentative date by which the carrier expects to utilize number portability to port prospective customers").

⁵ See 47 C.F.R. § 52.23(b)(2)(iv).

⁶ 47 C.F.R. § 52.23(c).

⁷ 47 U.S.C. § 153(30) (emphasis supplied); 47 C.F.R. § 52.21(k) (emphasis supplied). The FCC has distinguished this "service provider portability" from "location portability," a much different form of portability that the FCC has determined is not required by statute. "Location portability" is defined as "the ability of users of telecommunications services to retain existing telecommunications numbers without impairment of quality, reliability, or convenience when moving from one physical location to another." 47 C.F.R. § 52.21(i) (emphasis supplied).

⁸ 47 U.S.C. § 252(a)(1).

Ms. Linda Godfrey
July 23, 2003
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the standards the FCC has set forth pursuant to Section 251. As noted, the geographic portability that would result from the Verizon Wireless request has not been required by the FCC under Section 251.

Again, we would be pleased to review any additional facts Verizon Wireless may offer to demonstrate that its request is not for geographic number portability.

Sincerely,

Kraskin, Lesse & Cosson, LLC

By: 

Attachment

ATTACHMENT
Updated List of Local Exchange Companies Represented by Kraskin, Lesse & Cosson,
LLC in Matters Pertaining to Correspondence From Verizon Wireless
Regarding Number Portability

Rio Virgin Telephone Company, Inc

KRASKIN, LESSE & COSSON, LLC
ATTORNEYS AT LAW
TELECOMMUNICATIONS MANAGEMENT CONSULTANTS

2120 L Street, N.W., Suite 520
Washington, D.C. 20037

Telephone (202) 296-8890
Telecopier (202) 296-8893

July 16, 2003

VIA E-MAIL & OVERNIGHT DELIVERY

Fawn Romig
Industry Compliance and Operational Network Support, **Numbering Solutions**
Sprint PCS
6580 Sprint Parkway
Mailstop: KSOPHW0516-5B360
Overland Park, Kansas 66210

Dear Ms. Romig:

In our letter dated June 9, 2003, and in subsequent e-mails and telephone conversations, we notified you of over seventy companies represented by this firm that have received correspondence from Sprint PCS regarding number portability.¹ Having analyzed the generic letter and accompanying form dated May 23, 2003 (collectively, the Sprint PCS "mailings") sent to these companies, we question whether the mailings constitute a valid request for number portability. Moreover, even if the mailings were sufficient, the Sprint PCS correspondence does not request service provider portability that would enable customers of these LECs to retain their existing telephone numbers "at the same location" as the Act and FCC Rules require.²

The geographic areas specified in the mailings are limited to Metropolitan Statistical Areas ("MSAs"). Twenty-eight of these companies, however, operate wholly outside of any MSA. Additionally, on forms sent to fourteen of the companies that serve within MSAs, no specific market was indicated.³ Accordingly, for these forty-two companies, the mailings fail to identify the "discrete geographic area" as required by the FCC.⁴

¹ An updated list of the companies that we represent in this matter is attached.

² See 47 U.S.C. § 153(30); 47 C.F.R. § 52.21(k).

³ The companies that operate wholly outside of any MSA and ones for which no specific market was indicated are specified with an asterisk on the attached list.

⁴ See *In the Matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Telephone Number Portability: Fourth Report and Order in CC Docket No. 99-200 and CC Docket No. 95-116, and Fourth Further Notice of Proposed Rulemaking in CC Docket No. 99-200*, CC Docket Nos. 99-200, 96-98, 95-116 (rel. June 18, 2003) at para. 10 ("Requesting telecommunications carriers must specifically request portability, identify the discrete geographic area covered by the request, and

Further, in at least two instances, the request was sent to the wrong company⁵ and in many instances the switch information contained on the forms is incorrect.⁶ For example, one company received a mailing that identifies the switches of the company's affiliate rather than the company's switches.⁷

The mailing fails to indicate whether Sprint PCS provides service within the companies' respective LEC service areas. The rules specify that number portability is required only if requested by "another telecommunications carrier in areas in which that telecommunications carrier is operating or plans to operate."⁸ Furthermore, for most of the companies, there is no local interconnection in place between Sprint PCS and the LEC, demonstrating the absence of Sprint PCS' local presence and any indication of its "plans to operate" within the area.

The Act and the FCC have defined the obligation of a LEC to provide number portability that enables the "users of telecommunication services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another."⁹ If you have facts to indicate that Sprint PCS plans to ensure that the customer retains his/her telephone number "at the same

provide a tentative date by which the carrier expects to utilize number portability to port prospective customers").

⁵ Hancock Telephone Company located in New York received a mailing directed to Hancock Rural Telephone Cooperative located in Indiana and ComSouth Telecommunications, Inc. received a mailing directed to Hawkinsville Telephone Company, a company that no longer exists.

⁶ The FCC's orders and rules require local exchange carriers to implement number portability only "in switches for which another carrier has made a specific request" See, e.g., *In the Matter of Telephone Number Portability: First Memorandum Opinion and Order on Reconsideration*, 12 FCC Rcd 7236, 7273 (1997); 47 C.F.R. § 52.23(c).

⁷ Although the correspondence is addressed to Horry Telephone Cooperative, Inc., the form specifies switches which belong to an affiliated, but separate company, HTC Communications, Inc.

⁸ 47 C.F.R. § 52.23(c).

⁹ 47 U.S.C. § 153(30) (emphasis supplied); 47 C.F.R. § 52.21(k) (emphasis supplied). The FCC has distinguished this "service provider portability" from "location portability," a much different form of portability that the FCC has determined is not required by statute. "Location portability is defined as "the ability of users of telecommunications services to retain existing telecommunications numbers without impairment of quality, reliability, or convenience when moving from one physical location to another." 47 C.F.R. § 52.21(i) (emphasis supplied).

Ms. Fawn Romig
July 16, 2003
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location" please provide us with those facts and we will reevaluate our analysis of the Sprint PCS request on the basis of these facts.

While we and our clients recognize that pursuant to Section 252 of the Act, carriers are free to "negotiate and enter into a binding agreement with the requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of Section 251,"¹⁰ our clients at this time has no need or desire to negotiate an agreement that goes beyond the standards the FCC has set forth pursuant to Section 251. As noted, the geographic portability that would result from the Sprint PCS request has not been required by the FCC under Section 251.

Again, we would be pleased to review any additional facts Sprint PCS may offer to demonstrate that its request is not for geographic number portability.

Sincerely

Kraskin, Lesse & Cosson, LLC

By: 

¹⁰ 47 U.S.C. § 252(a)(1).

ATTACHMENT

**List of Companies Represented by Kraskin, Lesse & Cosson, LLC in Matters
Pertaining to Correspondence From Sprint PCS Regarding Number Portability**

Rio Virgin Telephone Company, Inc.

DECLARATION OF BRENDA CROSBY

I, Brenda Crosby, President of Virgin Telephone Co., Inc. do hereby declare under penalties of perjury that I have read the foregoing "Petition for Waiver" and that the facts stated therein are true and correct, to the best of my knowledge, information, and belief.

Date 11/21/03Brenda Crosby

CERTIFICATE OF SERVICE

I, Ka Triska Orville, of Kraskin, Lesse & Cosson, LLC, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify that a copy of the foregoing "Petition for Waiver" was served on this 21st day of November 2003, via hand delivery to the following parties:


Ka Triska Orville

William Maher, Chief
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Eric Einhorn, Chief
Telecommunications Access Policy
Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Cheryl Callahan, Assistant Chief
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW

Qualex International
445 12th Street, SW
Room CY-B402
Washington, DC 20554